

Craig Goldblatt
**WILMER CUTLER PICKERING
HALE AND DORR LLP**
1875 Pennsylvania Avenue NW,
Washington, DC 20006
Telephone: (202) 663-6483
craig.goldblatt@wilmerhale.com

Benjamin W. Loveland
**WILMER CUTLER PICKERING
HALE AND DORR LLP**
60 State Street
Boston, MA 02109
Telephone: (617) 526-6641
benjamin.loveland@wilmerhale.com

Cynthia L. Bernstiel
McCLELLAN BERNSTIEL, LLP
5 Penn Plaza, 19th Floor
New York, NY 10001
Telephone: (718) 500-4109
cyndi@mcbelaw.com

Counsel to Evanston Insurance Company

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CENTURY 21 DEPARTMENT STORES, LLC, et al.¹

Debtors.,

Chapter 11

Case No. 20-bk-12097 (SCC)

Jointly Administered

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are Century 21 Department Stores LLC (4073), L.I. 2000, Inc. (9619), C21 Department Stores Holdings LLC (8952), Giftco 21 LLC (0347), Century 21 Fulton LLC (4536), C21 Philadelphia LLC (2106), Century 21 Department Stores of New Jersey, L.L.C. (1705), Century 21 Gardens of Jersey, LLC (9882), C21 Sawgrass Blue, LLC (8286), C21 GA Blue LLC (5776), and Century Paramus Realty LLC (5033). The Debtors' principal place of business is: 22 Cortlandt Street, 5th Floor, New York, NY 10007.

CENTURY 21 DEPARTMENT STORES, LLC, 66 PEARL RETAIL, LLC, 66 PEARL RETAIL II, LLC, 66 PEARL RETAIL ISG, LLC, 173 BWAY BLUE LLC, 262 MOTT BLUE TIC LLC, 444 86 BLUE LLC, MIAMI DD 101 BLUE LLC, 28 NEWBURY JSRE TIC LLC, TRUE BLUE ASSOCIATES LLC, STAR OF DAVID, IRAYMOND-77 WARREN LLC, SABRA ASSOCIATES LLC, 315 SEVENTH RETAIL LLC, WEBWAY ASSOCIATES LLC, and CENTURY 21, INC.,

Plaintiffs,

v.

STARR SURPLUS LINES INSURANCE CO., ALLIANZ GLOBAL RISKS US INSURANCE CO., AXIS SURPLUS LINES INSURANCE CO., LIBERTY MUTUAL FIRE INSURANCE CO., STEADFAST INSURANCE CO., ENDURANCE AMERICAN SPECIALTY INSURANCE CO., EVANSTON INSURANCE CO., LANDMARK AMERICAN INSURANCE CO., QBE SPECIALTY INSURANCE CO., GREAT AMERICAN FIDELITY INSURANCE CO., and CERTAIN UNDERWRITERS AT LLOYDS SUBSCRIBING TO POLICY Nos. PG1902704, PG1902346, PG1902696, PG1902698, PG1902707, PG1902702, and PG1902712,

Defendants.

Adv. Proc. No. 20-01222 (SCC)

RULE 9027(e)(3) STATEMENT OF EVANSTON INSURANCE COMPANY

Pursuant to Federal Rule of Bankruptcy Procedure 9027(e)(3), defendant Evanston Insurance Company (“Evanston”), provides the following statement in response to the above-captioned plaintiffs’ (“Plaintiffs”) Notice of Removal [ECF No. 1]:

1. Evanston denies Plaintiffs’ allegation that the action pending in New York State Supreme Court, New York County, under Index No. 652975/2020 (the “Insurance Action”), against Evanston and other defendants, constitutes a core proceeding under 28 U.S.C. § 157(b)(2)(A), (C) or (O) or otherwise.

2. Evanston admits Plaintiffs' allegation that the Insurance Action constitutes a non-core proceeding that is "related to" the above-captioned chapter 11 case for purposes of 28 U.S.C. §1334(b).

3. Pursuant to 28 U.S.C. § 157(c)(2), Evanston does not consent to the entry of final orders or judgment by the bankruptcy court.

4. Evanston reserves all rights, claims, actions and defenses, including, without limitation, the right to seek abstention, remand, or withdrawal of the reference.

Dated: October 2, 2020

/s/ Craig Goldblatt
Craig Goldblatt (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW,
Washington, DC 20006
Telephone: (202) 663-6483
craig.goldblatt@wilmerhale.com

Benjamin W. Loveland (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6641
benjamin.loveland@wilmerhale.com

– and –

Cynthia L. Bernstiel
McCLELLAN BERNSTIEL, LLP
5 Penn Plaza, 19th Floor
New York, NY 10001
Telephone: (718) 500-4109
cyndi@mcbelaw.com

Counsel to Evanston Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that, on this 2nd day of October 2020, a true and correct copy of the foregoing *Rule 9027(e)(3) Statement of Evanston Insurance Company* was served upon all counsel of record using the Court's CM/ECF system.

/s/ Craig Goldblatt
Craig Goldblatt (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue NW,
Washington, DC 20006
Telephone: (202) 663-6483
craig.goldblatt@wilmerhale.com

Counsel to Evanston Insurance Company